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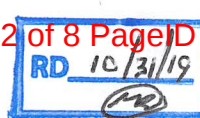
Houssam Elachkar  
99-11 60<sup>th</sup> Avenue, Apt.# 6A  
Corona, NY 11368

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U.S. District Court  
Eastern District of New York

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Notice of Electronic Filing

The following transaction was entered on 10/10/2019 at 7:09 AM EDT and filed on 10/10/2019

Case Name: Elachkar v. City of New York et al

Case Number: 1:19-cv-02172-CBA-ST

Filer:

Document Number: No document attached

Docket Text:

Counsel for Plaintiff has complied with the Court's Order and has provided Plaintiff Elachkar's contact information. Accordingly, attorney Brian L. Bromberg is terminated as counsel for Plaintiff. The Clerk of Court is directed to update the docket sheet reflecting Plaintiff's pro se status and adding the contact information as provided in docket entry [34]. So Ordered by Magistrate Judge Steven Tiscione on 10/10/2019. (Vasquez, Lea)

**CIVIL MINUTE ENTRY**

BEFORE:	Magistrate Judge Steven L. Tiscione
DATE:	October 3, 2019
TIME:	10:00
DOCKET NUMBER(S):	CV-19-2172 (CBA)
NAME OF CASE(S):	Elachkar v. City of New York et al.
FOR PLAINTIFF(S):	Bromberg with client
FOR DEFENDANT(S):	Levin, Nelson, Frail
NEXT CONFERENCE(S):	December 3, 2019 at 3:30 p.m., IN-PERSON
FTR/COURT REPORTER:	FTR (10:40 - 11:30)
<u>RULINGS FROM</u> Motion Hearing _____:	
<p>For the reasons discussed on the record, the Motion to Withdraw as counsel [29] is granted. Plaintiff's counsel is directed to file a letter on ECF with Plaintiff's contact information so that the docket can be updated to reflect Plaintiff's pro se status. Once the letter is filed, Mr. Bromberg will be terminated as attorney of record. At Plaintiff's request, the Court will give Plaintiff 60 days to retain a new attorney. The Court will hold an in-person status conference on December 3, 2019 at 3:30 p.m. If plaintiff has not retained a new attorney by that time, he must appear at the conference.</p>	

**U.S. District Court  
Eastern District of New York (Brooklyn)  
CIVIL DOCKET FOR CASE #: 1:19-cv-02172-CBA-ST**

Elachkar v. City of New York et al  
Assigned to: Judge Carol Bagley Amon  
Referred to: Magistrate Judge Steven Tiscione  
Cause: 42:1983 Civil Rights Act

Date Filed: 04/12/2019  
Jury Demand: Plaintiff  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff**

**Houssam Elachkar**

represented by **Houssam Elachkar**  
99-11 60th Avenue, Apt.# 6A  
Corona, NY 11368  
(347) 383-4772  
PRO SE

**Brian L. Bromberg**  
Bromberg Law Office, P.C.  
26 Broadway, 27th Floor  
New York, NY 10004  
212-248-7906  
Fax: 212-248-7908  
Email: [brian@brianbromberg.com](mailto:brian@brianbromberg.com)  
*TERMINATED: 10/10/2019*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**City of New York**

represented by **Joshua Michael Levin**  
New York City Law Department  
Special Federal Litigation Division  
100 Church Street  
Ste 3rd Floor  
New York, NY 10007  
212-356-5052  
Email: [jolevin@law.nyc.gov](mailto:jolevin@law.nyc.gov)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**New York City Transit Authority**

represented by **Peter Hongik Chang**  
New York City Transit Authority  
130 Livingston Street  
11th Floor  
Brooklyn, NY 11201  
718-694-3987  
Fax: 718-694-1023  
Email: [peter.chang@nyct.com](mailto:peter.chang@nyct.com)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Metropolitan Transportation Authority**

represented by **Peter Hongik Chang**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Mariarit Acquista**

represented by **Joshua Michael Levin**  
(See above for address)

LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**Defendant**

**John Doe 1 through 5**  
*Individually (the names John Doe being  
fictitious as the true names are presently  
unknown)*

**Defendant**

**Jean Lormestil**

represented by **Joshua Michael Levin**  
(See above for address)  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**Defendant**

**John Doe 1 through 4**

**Cross Claimant**

**Metropolitan Transportation Authority**

represented by **Peter Hongik Chang**  
(See above for address)  
ATTORNEY TO BE NOTICED

**Cross Claimant**

**New York City Transit Authority**

represented by **Peter Hongik Chang**  
(See above for address)  
ATTORNEY TO BE NOTICED

V.

**Cross Defendant**

**Mariarit Acquista**

represented by **Joshua Michael Levin**  
(See above for address)  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**Cross Defendant**

**City of New York**

represented by **Joshua Michael Levin**  
(See above for address)  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/12/2019	<u>1</u>	COMPLAINT against Mariarit Acquista, City of New York, JOHN DOE (1-5), Metropolitan Transportation Authority, New York City Transit Authority filing fee \$ 400, receipt number ANYEDC-11382864 Was the Disclosure Statement on Civil Cover Sheet completed -YES,, filed by Houssam Elachkar. (Attachments: # <u>1</u> Civil Cover Sheet) (Bromberg, Brian) (Entered: 04/12/2019)
04/15/2019	<u>2</u>	Proposed Summons. Re <u>1</u> Complaint, by Houssam Elachkar (Attachments: # <u>1</u> Proposed Summons, # <u>2</u> Proposed Summons, # <u>3</u> Proposed Summons) (Bromberg, Brian) (Entered: 04/15/2019)
04/16/2019		Case Assigned to Judge Carol Bagley Amon and Magistrate Judge Steven Tiscione. Please download and review the Individual Practices of the assigned Judges, located on our <a href="#">website</a> . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. (Davis, Kimberly) (Entered: 04/16/2019)

04/16/2019	<u>3</u>	In accordance with Rule 73 of the Federal Rules of Civil Procedure and Local Rule 73.1, the parties are notified that <b>if</b> all parties consent a United States magistrate judge of this court is available to conduct all proceedings in this civil action including a (jury or nonjury) trial and to order the entry of a final judgment. Attached to the Notice is a blank copy of the consent form that should be filled out, signed and filed electronically <b>only if all</b> parties wish to consent. The form may also be accessed at the following link: <a href="http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085.pdf">http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085.pdf</a> . <b>You may withhold your consent without adverse substantive consequences. Do NOT return or file the consent unless all parties have signed the consent.</b> (Davis, Kimberly) (Entered: 04/16/2019)
04/16/2019	<u>4</u>	This attorney case opening filing has been checked for quality control. See the attachment for corrections that were made, if any. (Davis, Kimberly) (Entered: 04/16/2019)
04/16/2019	<u>5</u>	Summons Issued as to Mariarit Acquista, City of New York, Metropolitan Transportation Authority, New York City Transit Authority. (Attachments: # <u>1</u> Summon, # <u>2</u> Summon, # <u>3</u> Summon) (Davis, Kimberly) (Entered: 04/16/2019)
05/06/2019	<u>6</u>	SUMMONS Returned Executed by Houssam Elachkar. Mariarit Acquista served on 5/2/2019, answer due 5/23/2019. (Bromberg, Brian) (Entered: 05/06/2019)
05/15/2019	<u>7</u>	SCHEDULING ORDER: An in-person initial conference will be held at 10:00 a.m. on July 15, 2019 before the undersigned in Hearing Room N504 in the North Wing. All counsel must attend. Counsel are directed to complete the attached Discovery Plan Worksheet and electronically file same with the Court no later than July 11th. So Ordered by Magistrate Judge Steven Tiscione on 5/15/2019. (Vasquez, Lea) (Entered: 05/15/2019)
05/16/2019	<u>8</u>	ANSWER to Complaint , CROSSCLAIM against Mariarit Acquista, City of New York by Metropolitan Transportation Authority, New York City Transit Authority. (Chang, Peter) (Entered: 05/16/2019)
05/16/2019	<u>9</u>	NOTICE of Appearance by Joshua Michael Levin on behalf of City of New York (aty to be noticed) (Levin, Joshua) (Entered: 05/16/2019)
05/16/2019	<u>10</u>	First MOTION for Extension of Time to File Answer by City of New York. (Levin, Joshua) (Entered: 05/16/2019)
05/17/2019	<u>11</u>	First MOTION for Extension of Time to File Answer re <u>10</u> First MOTION for Extension of Time to File Answer , <i>with Def MTA/NYCTA consent</i> by City of New York. (Levin, Joshua) (Entered: 05/17/2019)
05/20/2019		ORDER granting <u>10</u> Motion for Extension of Time to July 19, 2019 to Answer for City of New York answer and granting <u>11</u> Motion for Extension of Time to July 22, 2019 to Answer for Mariarit Acquista. So Ordered by Magistrate Judge Steven Tiscione on 5/20/2019. (Vasquez, Lea) (Entered: 05/20/2019)
06/02/2019	<u>12</u>	NOTICE of Change of Address <i>from 21st Floor to 27th Floor, at 26 Broadway, NYC 10004</i> (Bromberg, Brian) (Entered: 06/02/2019)
06/24/2019	<u>13</u>	Letter MOTION to Amend/Correct/Supplement <u>1</u> Complaint, <i>to replace one of the John Does with the name of an officer, Jean Lormestil, whose name Plaintiff learned on June 19, 2019</i> by Houssam Elachkar. (Attachments: # <u>1</u> Exhibit A — Proposed Amended Complaint, # <u>2</u> Exhibit B — Redlined Proposed Amended Complaint) (Bromberg, Brian) (Entered: 06/24/2019)
06/26/2019	<u>14</u>	ORDER: Defendants are directed to file a letter with the Court by 7/2/19 indicating their position on this application. Ordered by Judge Carol Bagley Amon on 6/26/2019. (Fernandez, Erica) (Entered: 06/26/2019)
07/02/2019	<u>15</u>	RESPONSE to Motion re <u>13</u> Letter MOTION to Amend/Correct/Supplement <u>1</u> Complaint, <i>to replace one of the John Does with the name of an officer, Jean Lormestil, whose name Plaintiff learned on June 19, 2019</i> filed by City of New York. (Levin, Joshua) (Entered: 07/02/2019)
07/02/2019	<u>16</u>	RESPONSE to Motion re <u>13</u> Letter MOTION to Amend/Correct/Supplement <u>1</u> Complaint, <i>to replace one of the John Does with the name of an officer, Jean Lormestil, whose name Plaintiff learned on June 19, 2019</i> filed by Metropolitan



		Transportation Authority, New York City Transit Authority. (Rapisardi, Daniela) (Entered: 07/02/2019)
07/05/2019	<u>17</u>	Letter MOTION for Extension of Time to File <i>Executed Return of Service</i> regarding <i>Police Officer Jean Lormestil because Motion to Amend Complaint to add P.O. Lormestil is pending</i> by Houssam Elachkar. (Bromberg, Brian) (Entered: 07/05/2019)
07/10/2019	<u>18</u>	ORDER re <u>13</u> Motion to Amend/Correct/Supplement: Appllication granted. Ordered by Judge Carol Bagley Amon on 7/3/2019. (Fernandez, Erica) (Entered: 07/10/2019)
07/10/2019	<u>19</u>	First MOTION to Adjourn Conference <i>and to hold Answers in abeyance until after all parties are joined</i> , by City of New York. (Levin, Joshua) (Entered: 07/10/2019)
07/10/2019	<u>20</u>	AMENDED COMPLAINT against Mariarit Acquista, City of New York, Metropolitan Transportation Authority, New York City Transit Authority, Jean Lormestil, John Doe 1 through 4, filed by Houssam Elachkar. (Bromberg, Brian) (Entered: 07/10/2019)
07/11/2019		ORDER granting <u>17</u> Motion for Extension of Time to August 12th to serve the amended summons and complaint upon Police Officer Jean Lormestil. So Ordered by Magistrate Judge Steven Tiscione on 7/11/2019. (Vasquez, Lea) (Entered: 07/11/2019)
07/11/2019		ORDER granting <u>19</u> Motion to Adjourn Conference: The initial conference scheduled for July 15th will instead be held at 10:00 a.m. on September 20, 2019. Answers or responses for Defendant City of New York and Police Officer Acquista will be due by September 13th. So Ordered by Magistrate Judge Steven Tiscione on 7/11/2019. (Vasquez, Lea) (Entered: 07/11/2019)
07/11/2019	<u>21</u>	Proposed Summons. Re <u>20</u> Amended Complaint by Houssam Elachkar (Bromberg, Brian) (Entered: 07/11/2019)
07/15/2019	<u>22</u>	Summons Issued as to Jean Lormestil. (Fernandez, Erica) (Entered: 07/15/2019)
07/26/2019	<u>23</u>	SUMMONS Returned Executed by Houssam Elachkar. Jean Lormestil served on 7/22/2019, answer due 8/12/2019. (Bromberg, Brian) (Entered: 07/26/2019)
08/08/2019	<u>24</u>	First MOTION to Compel <i>160.50/HIPAA and to hold Answers in abeyance until receipt</i> by Mariarit Acquista, City of New York, Jean Lormestil. (Levin, Joshua) (Entered: 08/08/2019)
08/13/2019		ORDER deferring ruling on <u>24</u> Motion to Compel. Plaintiff shall file a response by 8/15/2019. An in-person hearing will be held at 2:00 p.m. on August 19, 2019 before the undersigned in Hearing Room N504 in the North Wing. All counsel must attend. So Ordered by Magistrate Judge Steven Tiscione on 8/13/2019. (Vasquez, Lea) (Entered: 08/13/2019)
08/14/2019	<u>25</u>	First MOTION to Compel <i>160.50 – SUPPLEMENTAL ADDENDUM</i> by Mariarit Acquista, City of New York, Jean Lormestil. (Levin, Joshua) (Entered: 08/14/2019)
08/15/2019	<u>26</u>	MOTION to Stay re Order on Motion to Compel,, Set Motion and R&R Deadlines/Hearings, <u>25</u> First MOTION to Compel <i>160.50 – SUPPLEMENTAL ADDENDUM</i> , <u>24</u> First MOTION to Compel <i>160.50/HIPAA and to hold Answers in abeyance until receipt</i> , MOTION for pre motion conference re Order on Motion to Compel,, Set Motion and R&R Deadlines/Hearings, <u>25</u> First MOTION to Compel <i>160.50 – SUPPLEMENTAL ADDENDUM</i> , <u>24</u> First MOTION to Compel <i>160.50/HIPAA and to hold Answers in abeyance until receipt</i> by Houssam Elachkar. (Bromberg, Brian) (Entered: 08/15/2019)
08/16/2019	<u>27</u>	First MOTION for Extension of Time to File Response/Reply as to <u>8</u> Answer to Complaint, Crossclaim ( <i>First motion to request enlargement of City Def's time to Respond to MTA Cross Claims</i> ) by Mariarit Acquista, City of New York, Jean Lormestil. (Levin, Joshua) (Entered: 08/16/2019)
08/20/2019	<u>28</u>	Minute Order for Motion Hearing held on 8/19/2019 before Magistrate Judge Steven Tiscione: Bromberg for Plaintiff; Levin & Nelson for Defendants. Plaintiff's counsel reports that he has been unable to contact his client and his last attempts to mail letters have been returned as undeliverable. Plaintiff's Motion to Stay <u>26</u> is granted. Defendant's First MOTION for Extension of Time to File Response/Reply as to <u>8</u> Answer to Complaint, Crossclaim <u>27</u> is also granted. The deadline for Defendants to

		Answer is held in abeyance until Plaintiff is located and the parties can address the motion to compel. Plaintiff's counsel shall continue to make attempts to contact his client and file a status report by September 13, 2019. (FTR Log #2:03 – 2:15.) (Vasquez, Lea) (Entered: 08/20/2019)
09/03/2019	<u>29</u>	STATUS REPORT and MOTION to Withdraw as Attorney by Houssam Elachkar, Letter requesting pre-motion conference for Brian L. Bromberg and the Bromberg Law Office, P.C. to be relieved as counsel by Houssam Elachkar (Bromberg, Brian) Modified on 10/9/2019 (Vasquez, Lea). (Entered: 09/03/2019)
09/04/2019		SCHEDULING ORDER re <u>29</u> Status Report, Letter filed by Houssam Elachkar: The Court construes Plaintiff's letter <u>29</u> as a Motion to Withdraw as counsel. As such, an in-person hearing will be held before the undersigned at 10:00 a.m. on September 13, 2019 in Hearing Room N504 in the North Wing. Mr. Elachkar must attend the conference in person along with all counsel. Counsel for Plaintiff is directed to serve his client with a copy of this Order via return receipt delivery and file proof of delivery with the Court. So Ordered by Magistrate Judge Steven Tiscione on 9/4/2019. (Vasquez, Lea) (Entered: 09/04/2019)
09/06/2019	<u>30</u>	MOTION to Adjourn Conference from September 13, 2019, to October 3, 2019 by Houssam Elachkar. (Bromberg, Brian) (Entered: 09/06/2019)
09/09/2019	<u>31</u>	Letter supplementing motion to adjourn conference to October 3, 2019 by Houssam Elachkar (Bromberg, Brian) (Entered: 09/09/2019)
09/10/2019		ORDER granting <u>30</u> Motion to Adjourn Conference: The hearing scheduled for September 13th will instead be held at 10:00 a.m. on October 3, 2019. Counsel for Plaintiff is reminded that this Court directed him to file proof of delivery of the Court's previous Order with the Court. As of this date, there has been no proof of delivery filed. Counsel for plaintiff is once again directed to serve his client with this Order rescheduling the September 13th conference and file proof of delivery no later than September 17th. So Ordered by Magistrate Judge Steven Tiscione on 9/10/2019. (Vasquez, Lea) (Entered: 09/10/2019)
09/17/2019	<u>32</u>	Letter to the Honorable Steven Tiscione, with copy of letter to Houssam Elachkar attached, together with copies of the Orders enclosed with the letter to Mr. Elachkar, together with proof of mailing by Federal Express and by Certified Mail, Return Receipt Requested, plus proof of delivery from Federal Express, but failure to deliver from U.S. Postal Service website by Houssam Elachkar (Bromberg, Brian) (Entered: 09/17/2019)
10/07/2019	<u>33</u>	Letter to the Honorable Steven L. Tiscione, providing contact information for Plaintiff Houssam Elachkar by Houssam Elachkar (Bromberg, Brian) (Entered: 10/07/2019)
10/07/2019	<u>34</u>	Letter to the Honorable Steven L. Tiscione, providing contact information for Plaintiff Houssam Elachkar (Typo Corrected in FedEx Waybill to Mr. Elachkar Attached) by Houssam Elachkar (Bromberg, Brian) (Entered: 10/07/2019)
10/09/2019	<u>35</u>	Minute Order for Motion Hearing held on 10/3/2019 before Magistrate Judge Steven Tiscione: Bromberg with Elachkar; Levin, Nelson & Frail for Defendants. For the reasons discussed on the record, the Motion to Withdraw as counsel <u>29</u> is granted. Plaintiff's counsel is directed to file a letter on ECF with Plaintiff's contact information so that the docket can be updated to reflect Plaintiff's pro se status. Once the letter is filed, Mr. Bromberg will be terminated as attorney of record. At Plaintiff's request, the Court will give Plaintiff 60 days to retain a new attorney. The Court will hold an in-person status conference on December 3, 2019 at 3:30 p.m. If plaintiff has not retained a new attorney by that time, he must appear at the conference. (FTR Log #10:40 – 11:30.) (Vasquez, Lea) (Entered: 10/09/2019)
10/10/2019		Counsel for Plaintiff has complied with the Court's Order and has provided Plaintiff Elachkar's contact information. Accordingly, attorney Brian L. Bromberg is terminated as counsel for Plaintiff. The Clerk of Court is directed to update the docket sheet reflecting Plaintiff's pro se status and adding the contact information as provided in docket entry <u>34</u> . So Ordered by Magistrate Judge Steven Tiscione on 10/10/2019. (Vasquez, Lea) (Entered: 10/10/2019)